

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DANIEL HIRAM GIBSON,
 Plaintiff,

vs.

HOUSING AUTHORITY,
 Defendant.

Case No. 2:13-cv-02198-JAD-CWH

ORDER

This matter is before the Court on Plaintiff's Motion/Application to Proceed *In Forma Pauperis* (#1), filed on November 27, 2013.

Plaintiff has requested authority pursuant to 28 U.S.C. § 1915 to proceed *in forma pauperis* and submitted a complaint along with the application. The Court finds that Plaintiff's application is incomplete. Plaintiff indicates that he receive wages of \$189 per month and has \$0.12 in cash or checking or savings account. However, Plaintiff claims his amount of monthly expenses is zero. The Court is unclear how he is paying for housing, transportation, utilities, and other regular monthly expenses. As a result, the Court cannot determine whether Plaintiff is eligible to proceed *in forma pauperis*. Plaintiff's Motion/Application shall be denied without prejudice and he will be given thirty (30) days to submit a second, completed application along with a complaint.

Having concluded that Plaintiff is not entitled at this time to proceed *in forma pauperis*, the Court need not screen the complaint under 28 U.S.C. § 1915(e)(2)(B), which requires the dismissal of the case at any time if the Court determines that it is frivolous or malicious or fails to state a claim upon which relief can be granted or seeks monetary relief against a defendant who is immune from such relief.

Based on the foregoing and good cause appearing therefore,

IT IS ORDERED that Plaintiff's Motion/Application to Proceed *In Forma Pauperis* (#1) is

1 **denied without prejudice.**

2 **IT IS FURTHER ORDERED** that Plaintiff shall have until **Thursday, January 2, 2014** to
3 file a new, completed Application to Proceed *In Forma Pauperis* along with a complaint. In the
4 alternative, Plaintiff may make the necessary arrangements to pay the filing fee of four hundred dollars
5 (\$400), accompanied by a copy of this Order. Failure to comply with this Order will result in a
6 recommendation to the District Judge that this action be dismissed.

7 Dated this 3rd day of December, 2013.

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11 **C.W. Hoffman, Jr.**
12 **United States Magistrate Judge**
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